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 9 *B. Haub, Y. Franco, and T. Duke*

10  
 11 IN THE UNITED STATES DISTRICT COURT  
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 13 OAKLAND DIVISION  
 14

15 **C. JAY SMITH, et al.,**

16 Plaintiff,

17 v.

18  
 19 **R. DIAZ, et al.,**

20 Defendants.

4:20-cv-04335-HSG

**ADMINISTRATIVE MOTION FOR  
 EXTENSION OF TIME TO RESPOND  
 TO COURT ORDER ECF NO. 139;  
 DECLARATION OF ERIC MIERSMA;  
 and [PROPOSED] ORDER**

Judge: Hon. Haywood S. Gilliam, Jr.  
 Trial Date: February 24, 2025  
 Action Filed: June 29, 2020

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 22 Defendants respectfully submit this Administrative Motion for Extension of Time to  
 23 Respond to Court Order ECF No. 139, and Order regarding same. This Administrative Motion is  
 24 based on the following:

25 WHEREAS, on March 28, 2025, the Court issued its Order Denying Motions to Seal (ECF  
 26 No. 139).

27 WHEREAS, the Court's Order requires the parties to meet and confer and file public  
 28 versions and revised redactions of the documents at issue, or file new motions to seal. The

1 Court's Order requires the parties to comply within seven days of its Order, which is April 4,  
2 2025.

3 WHEREAS, lead counsel for the Defendants, Deputy Attorney General Eric Miersma and  
4 the Supervising Deputy Attorney General Preeti Bajwa, are both on vacation the week of March  
5 31, 2025.

6 WHEREAS, there are no other handling attorneys for Defendants sufficiently familiar with  
7 this matter to respond to the Court's Order by April 4, 2025.

8 WHEREAS, Defendants' counsel attempted to contact Plaintiff's counsel to obtain a  
9 stipulation to an extension of time to respond to the Court's Order but was unable to reach them  
10 on short notice.

11 THEREFORE, IT IS HEREBY REQUESTED, that the Court extend the deadline for  
12 Defendants and Plaintiff to respond to the Court's Order (ECF No. 139) to April 18, 2025.

13 Dated: March 28, 2025

Respectfully submitted,

14 ROB BONTA  
Attorney General of California  
15 PREETI K. BAJWA  
Supervising Deputy Attorney General  
16

17 */s/ Eric Miersma*  
18 ERIC MIERSMA  
Deputy Attorney General  
19 *Attorneys for Defendants*

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## CERTIFICATE OF SERVICE

Case Name: **C. Jay Smith (aka Cary Keeton Smith) (P13926) v. Diaz, et al.** No. **4:20-cv-04335-HSG**

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I hereby certify that on March 28, 2025, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

**ADMINISTRATIVE MOTION FOR EXTENSION OF TIME TO RESPOND TO COURT ORDER ECF NO. 139; DECLARATION OF ERIC MIERSMA; DECLARATION OF ERIC MIERSMA IN SUPPORT OF ADMINISTRATIVE MOTION FOR EXTENSION OF TIME TO RESPOND TO COURT ORDER ECF NO. 139 and [PROPOSED] ORDER**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on March 28, 2025, at San Diego, California.

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S. Garcia  
Declarant

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*S. Garcia*  
Signature

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15 **C. JAY SMITH, et al.,**

16 Plaintiff,

17 v.

18 **R. DIAZ, et al.,**

19 Defendants.

4:20-cv-04335-HSG

**DECLARATION OF ERIC MIERSMA IN  
 SUPPORT OF ADMINISTRATIVE  
 MOTION FOR EXTENSION OF TIME  
 TO RESPOND TO COURT ORDER ECF  
 NO. 139**

Judge: Hon. Haywood S. Gilliam, Jr.  
 Trial Date: February 24, 2025  
 Action Filed: June 29, 2020

21  
22 I, Eric Miersma, declare as follows:

23 1. I am a Deputy Attorney General in the California Department of Justice and am  
 24 counsel for Defendants in this case. I am competent to testify to the matters in this Declaration,  
 25 and, if called, would so testify. I submit this Declaration in support of the Administrative Motion  
 26 for Extension of Time to Respond to Court Order ECF No. 139.

27 2. On March 28, 2025, the Court issued its Order Denying Motions to Seal (ECF No.  
 28 139).



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**C. JAY SMITH, et al.,**

Plaintiff,

**v.**

**R. DIAZ, et al.,**

Defendants.

Case No. 4:20-cv-04335-HSG

**ORDER RE: ADMINISTRATIVE  
MOTION FOR EXTENSION OF  
TIME TO RESPOND TO COURT  
ORDER ECF NO. 139**

Having read and considered Defendants' Administrative Motion for an Extension of Time to Respond to Court Order ECF No. 139, Good Cause appearing, the Court grants Defendants' request and continues the date for the parties to respond to its Order (ECF No. 139) to April 18, 2025.

It is so ordered.

Dated: 3/31/2025

  
The Honorable Haywood S. Gilliam, Jr.